

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

24-33305 BKMFR01
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In Re:

CARLOS A MADERO



Order Filed on August 13, 2025
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 23-14849

Hearing Date: July 16, 2025

Judge: TBA

Chapter: 13

Recommended Local Form

☐ Followed

☒ Modified

**ORDER RESOLVING MOTION TO VACATE STAY
AND/OR MOTION TO DISMISS
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through d (4) is **ORDERED**.

DATED: August 13, 2025

A handwritten signature in black ink, appearing to read "Mark E. Hall".

Honorable Mark E. Hall
United States Bankruptcy Judge

Applicant: Capital One, N.A.
Applicant's Counsel: Kimberly A. Wilson, Esquire, Brock & Scott, PLLC
Debtor's Counsel: Joseph J Mania, III, Law Office of Joseph J. Mania III, Esquire
Property Involved ("Collateral"): 29 Lowe Ave, Fair Lawn, NJ 07410

Relief sought: ☒ Motion for relief from the automatic stay
☐ Motion to dismiss
☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- ☐ The Debtor(s) is overdue for _____ months, from _____ to _____.
- ☐ The Debtor is overdue for _____ payments at \$_____ per month.
- ☐ The Debtor is assessed for _____ late charges at \$_____ per month.
- ☒ Applicant acknowledges receipt of funds in the amount of \$2,209.62 received after the motion was filed.

Total Arrearages Due: \$0.00

2. Debtor must cure all post-petition arrearages, as follows:

- ☐ Immediate payment shall be made in the amount of \$_____. Payment shall be made no later than _____.
- ☒ Beginning on August 12, 2025, regular monthly mortgage payments in the amount of \$736.54 shall resume.
- ☐ Beginning on _____, additional monthly cure payments shall be made in the amount of \$_____ for _____ months.
- ☐ The amount of \$_____ shall be capitalized in the Debtor's Chapter 13 plan. Debtor shall file a Modified Plan within 15 days of entry of this Order.

3. Payments to the Applicant shall be made to the following address:

☐ Immediate payment:

☒ Regular monthly payment:

Attn: Bankruptcy Dept | 1 Corporate Drive, Ste
360
Lake Zurich, IL 60047

☐ Monthly cure payment:

4. In the event of Default:

☒ If the Debtor fails to make any regular monthly payment then the Applicant may obtain an Order Vacating, terminating, or annulling the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☒ If the bankruptcy case is dismissed or converted, this Agreement is void and the instant bankruptcy case will not act to impose the automatic stay against the Applicant's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☒ The Applicant is awarded attorney fees of \$500.00, and costs of \$199.00.

The fees and costs are payable:

☒ through the Chapter 13 plan.

☐ to the Applicant within _____ days.

☐ Attorneys' fees are not awarded.